

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q76965

Anthony Peter MOLONEY

Appln. No.: 10/639,585

Group Art Unit: 1616

Confirmation No.: 7695

Examiner: Not yet assigned

Filed: August 13, 2003

For:

COMPOSITION

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. §§ 1.97 and 1.98</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents, other than any U.S. patents and patent publications, is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/639,585

The submission of the listed documents is not intended as an admission that any such

document constitutes prior art against the claims of the present application. Applicant does not

waive any right to take any action that would be appropriate to antedate or otherwise remove any

listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

Registration No. 22,775

Robert V. Sloan

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 31, 2004

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That no item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in any communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making a reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the

STATEMENT UNDER 37 C.F.R. § 1.97(e)

U.S. Appln. No.: 10/639,585

filing of said Information Disclosure Statement.

SUGHRUE MION, PLLC

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Facsimile: (202) 293-7860

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| Substitute for Form 1449 A & B/PTO | Complete if Known | | |
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| | Application Number 10/639,585 | | |
| OIP ENFORMATION DISCLOSURE | Confirmation Number | 7695 | |
| STATEMENT BY APPLICANT | Filing Date | August 13, 2003 | |
| 3 | First Named Inventor | Anthony Peter MOLONEY | |
| MAR 3 1 2004 (use as many sheets as necessary) | Art Unit | 1616 | |
| MAK 3 1 200 E | Examiner Name | Not yet assigned | |
| Sheet S 1 of 1 | Attorney Docket Number | Q76965 | |

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| | | Country Code ³ WO WO WO | Cite No.¹ Foreign Patent Docu Country Code³ Number⁴ WO 02/30467 WO 02/00269 WO 01/67888 | Cite No.¹ Foreign Patent Document Country Code³ Number⁴ Kind Code⁵ (if known) WO 02/30467 A2 WO 02/00269 A1 WO 01/67888 A1 | Cite No.¹ Foreign Patent Document Publication Date MM-DD-YYYY Country Code³ Number⁴ Kind Code⁵ (if known) MM-DD-YYYY WO 02/30467 A2 04-18-2002 WO 02/00269 A1 01-03-2002 WO 01/67888 A1 09-20-2001 | Cite No. 1 Foreign Patent Document Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document WO 02/30467 A2 04-18-2002 TRITICUM EXPLOITATIE B.V. WO 02/00269 A1 01-03-2002 Phillip Roy CASKEY WO 01/67888 A1 09-20-2001 Phillip Roy CASKEY |

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| Evaminas Cianatura | Date Considered | |
|--------------------|-----------------|--|
| Examiner Signature | Date Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.